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4 **UNITED STATES DISTRICT COURT**
5 **DISTRICT OF NEVADA**

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7 RONDA MERRYMAN,

8 Plaintiff,

9 v.

10 CAROLYN W. COLVIN, Acting
11 Commissioner of Social Security,

12 Defendant.

Case No. 2:14-CV-01499-KJD-VCF

ORDER

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14 Before the Court for consideration is the Report and Recommendation (#21) of
15 Magistrate Judge Cam Ferenbach entered on April 28, 2015, recommending that the present case
16 be remanded to determine whether Plaintiff's impairment is equivalent to a listed impairment
17 under step 3 and whether Plaintiff's subjective testimony regarding her ability to work is
18 credible. Defendant Carolyn W. Colvin filed an objection (#22) to the report and
19 recommendation. Plaintiff Ronda Merryman filed a response (#23).


20 This Court has conducted a *de novo* review of the record in this case in accordance with
21 28 U.S.C. § 636(b)(1) and Local Rule IB 3-2. The Court determines that the Report and
22 Recommendation (#21) of the United States Magistrate Judge entered May 1, 2015, should be
23 **ADOPTED** and **AFFIRMED**.

24 **IT IS THEREFORE ORDERED** that the Magistrate Judge's Report and
25 Recommendation (#21) entered April 28, 2015, are **ADOPTED** and **AFFIRMED**;

26 **IT IS FURTHER ORDERED** that Plaintiff's Motion for Remand (#16) is **GRANTED**;

1 **IT IS FINALLY ORDERED** that Defendant's Cross Motion to Affirm (#17) is
2 **DENIED.**

3 DATED this 11th day of June 2015.

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Kent J. Dawson
United States District Judge